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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/536,625	03/28/2000	Anthony Italo Provitola		5607
23362	7590	08/04/2004		
ANTHONY I. PROVITOLA POST OFFICE BOX 2855 DELAND, FL 327212855			EXAMINER SHERKAT, AREZOO	
			ART UNIT 2131	PAPER NUMBER

DATE MAILED: 08/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

09/536,625

Applicant(s)

PROVITOLA, ANTHONY ITALO

Examiner

Arezoo Sherkat

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments filed on May 24, 2004 have been fully considered but they are not persuasive.

Regarding claims 1, 14, and 20, Applicant argues that "PURL" in Smith's reference as uniquely identifying one or more specific documents and the intended recipient thereof, and do not teach the secrecy of any internet site ... the URL is not an Internet site. However, a PURL as disclosed in Smith's disclosure is a private universal resource locator or an address to an internet site that is delivered to authenticated users through which they can privately access a site that otherwise would have not been available to them. Further details have been covered in the statement of each rejection.

Regarding claims 2-13 and 15-19, arguments have been responded in the statement of each rejection.

DETAILED ACTION

Claims 1-20 have been presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 14-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, (U.S. Patent No. 5,961,645 and Baker hereinafter), in view of Smith et al., (U.S. Patent No. 6,529,956 and Smith hereinafter).

Regarding claim 1, Baker discloses Internet users' terminals (Fig. 1, elements 107-109) connected to the public network (Fig. 1, element 100) through processor (Fig. 1, element 11) which controls access to network resources (i.e., web servers)(Fig. 1, elements 101-105) further comprising:

- a plurality of computers programmed to operate as web servers (Fig. 1, elements 101-105)(Col. 3, lines 53-67 and Col. 4, lines 1-27);

- one or more of said web servers hosting internet web sites for said internet operation (Fig. 1, elements 101-105)(Col. 3, lines 53-67 and Col. 4, lines 1-27);

- one or more of said internet web sites being main sites having URLs which are publicly associated with said internet operation accessible through said internet web sites (Col. 4, lines 10-67 and Col. 5, lines 1-30);

Baker does not expressly disclose Internet operation including a system of secret Internet web sites, one or more of said internet web sites being secret sites having URLs which are not publicly associated with said internet operation, said secret sites being a part of said internet operation by which said internet operation may be accessed.

However, Smith discloses Internet operation including a system of secret Internet web sites comprising:

one or more of said internet web sites being secret sites having URLs which are not publicly associated with said internet operation (i.e., Private URL), said secret sites being a part of said internet operation by which said internet operation may be accessed (Col. 15, lines 22-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker with the teachings of Smith to include temporary and dynamically generated PURLs that uniquely identify the intended recipient of a document and provide value added services such as tracking and security with the motivation to provide for the ability to distribute electronic portable high content-quality documents to many recipients in a controlled and accountable fashion (Smith, Col. 1, lines 19-24).

Regarding claims 2 and 15, Baker does not expressly disclose wherein the system of secret Internet websites is operated to secure said Internet operation against cybervandalism.

However, Smith discloses wherein the system of secret Internet websites is operated to secure said Internet operation against cybervandalism (i.e., preventing multiple IPs from accessing the same document using the same key)(Col. 16, lines 15-35).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker with the teachings of Smith to include temporary and dynamically generated PURLs that uniquely identify

the intended recipient of a document and provided value added services such as tracking and security with the motivation to provide for the ability to distribute electronic portable high content-quality documents to many recipients in a controlled and accountable fashion (i.e., preventing cybervandalism)(Smith, Col. 1, lines 19-24).

Regarding claims 3 and 16, Baker does not expressly disclose wherein the system of secret Internet websites is operated to secure said Internet operation against denial-of-service-attack.

However, Smith discloses wherein the system of secret Internet websites is operated to secure said Internet operation against denial-of-service attack (i.e., PURLs may always be assigned to legitimate users who identify themselves to the server which in turn make it possible to track document retrieval and make sure that legitimate users are enjoying the service and unauthorized users cannot launch denial-of-service attack due to the resulted accountability)(Col. 15, lines 57-67 and Col. 16, lines 25-35 and Col. 17, lines 5-9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker with the teachings of Smith to include temporary and dynamically generated PURLs that uniquely identify the intended recipient of a document and provide value added services such as tracking and security with the motivation to provide for the ability to distribute electronic portable high content-quality documents to many recipients in a controlled and

accountable fashion (i.e., preventing denial-of-service attacks)(Smith, Col. 1, lines 19-24).

Regarding claim 4, Baker doesn't expressly disclose wherein one or more of said secret sites are assigned to one or more users of said Internet operation.

However, Smith discloses wherein one or more of said secret sites are assigned to one or more users of said Internet operation (Col. 15, lines 42-56 and Col. 16, lines 15-24).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker with the teachings of Smith to include temporary and dynamically generated PURLs that uniquely identify the intended recipient of a document and provide value added services such as tracking and security with the motivation to provide for the ability to distribute electronic portable high content-quality documents to many recipients in a controlled and accountable fashion (i.e., privately providing the authorized users with the resource)(Smith, Col. 1, lines 19-24).

Regarding claim 5 and 17, Baker discloses a proxy server (Fig. 1, element 112) that provides a connection from the processor (Fig. 1, element 111) to the public network (Fig. 1, element 100) via the firewall (Fig. 1, element 113). The processor controls access to the network resources (Fig. 1, elements 101-105).

Baker does not expressly disclose wherein the URLs of secret sites being maintained as secret by entities authorized by the operator of the Internet operation from all but those users who have been given the knowledge thereof by said operator.

However, Smith discloses wherein the URLs of secret sites being maintained as secret by entities authorized by the operator of the Internet operation (i.e., BFD server) from all but those users who have been given the knowledge thereof by said operator (Col. 14, lines 5-24 and Col. 15, lines 42-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker with the teachings of Smith to include a server administrator such as BFD server administrator on each of the network resources 101-105 disclosed by Baker to invoke the send of the document to the intended recipients (Smith, Col. 13, lines 47-58) and take advantage of added services such as tracking and security with the motivation to provide for the ability to distribute electronic portable high content-quality documents to many recipients in a controlled and accountable fashion (Smith, Col. 1, lines 19-24).

Regarding claim 6, Baker discloses a proxy server (Fig. 1, element 112) that provides a connection from the processor (Fig. 1, element 111) to the public network (Fig. 1, element 100) via the firewall (Fig. 1, element 113). The processor controls access to the network resources (Fig. 1, elements 101-105).

Baker does not expressly disclose wherein the URL of a secret site, acquired by a user through assignment to a user by an entity authorized by the operator.

However, Smith discloses wherein the URL of a secret site, acquired by a user through assignment to a user by an entity authorized by the operator (i.e., BFD server) (Col. 15, lines 22-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker with the teachings of Smith to include a server administrator such as BFD server administrator on each of the network resources 101-105 disclosed by Baker to invoke the send of the document to the intended recipients (Smith, Col. 13, lines 47-58) and take advantage of added services such as tracking and security with the motivation to provide for the ability to distribute electronic portable high content-quality documents to many recipients in a controlled and accountable fashion (Smith, Col. 1, lines 19-24).

Regarding claim 7, Baker does not expressly disclose wherein a secret site is one whose existence, identity and URL are learned by a user only through the process of subscription.

Smith discloses wherein a secret site is one whose existence, identity and URL are learned by a user only through the process of subscription (Col. 15, lines 22-67 and Col. 16, lines 6-35 and Col. 17, lines 5-9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker with the teachings of Smith to include temporary and dynamically generated PURLs that uniquely identify the intended recipient of a document and provided value added services such as tracking

and security with the motivation to provide for the ability to distribute electronic portable high content-quality documents to many recipients in a controlled and accountable fashion (i.e., through subscription, only authorized users will receive the service which creates control and accountability)(Smith, Col. 1, lines 19-24).

Regarding claim 8, Baker discloses a system where the user is free to contact and use the main site anonymously as permitted and desired (i.e., the user of the Internet operation system can use the public URLs to access the Internet operation/resource that she/he is interested in)(Col. 2, lines 60-67).

Regarding claim 9, Baker discloses users being redirected to other URLs due to unavailability of a resource (i.e., moved resources)(Col. 2, lines 27-35).

Baker does not expressly disclose wherein a user may subscribe for a secret site URL while the main site is under attack.

However, Smith discloses wherein a user may subscribe for a secret site URL (Col. 15, lines 22-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker with the teachings of Smith to include temporary and dynamically generated PURLs that uniquely identify the intended recipient of a document while the main site is under attack with the motivation to provide for the ability to distribute electronic portable high content-quality documents to many recipients in a controlled and accountable fashion (i.e., through subscription,

only authorized users will receive the service which creates control and accountability)
(Smith, Col. 1, lines 19-24).

Regarding claim 14, Baker discloses a system of Internet website comprising:
a plurality of computers programmed to operate as web servers (Fig. 1,
elements 101-105)(Col. 3, lines 53-67 and Col. 4, lines 1-27);

one or more of said web servers hosting internet web sites for said internet
operation (Fig. 1, elements 101-105)(Col. 3, lines 53-67 and Col. 4, lines 1-27);

Baker does not expressly disclose secret Internet web sites, one or more of said
internet web sites being secret sites having Universal Resource Locators which are not
publicly associated with any internet operation, (URLs) which are operated to provide
access to Internet operations of other operators of Internet websites.

However, Smith discloses Internet operation private, trackable URLs for directed
document delivery comprising:

one or more of said internet web sites being secret sites having Universal
Resource Locators which are not publicly associated with any internet operation (i.e.,
PURLs), (URLs) which are operated to provide access to Internet operations of other
operators of Internet websites(Col. 15, lines 22-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at
the time of applicant's invention to modify the teachings of Baker with the teachings of
Smith to include temporary and dynamically generated PURLs that uniquely identify the
intended recipient of a document and provided value added services such as tracking

and security with the motivation to provide for the ability to distribute electronic portable high content-quality documents to many recipients in a controlled and accountable fashion (i.e., through subscription, only authorized users will receive the service which creates control and accountability)(Smith, Col. 1, lines 19-24).

Regarding claim 20, Baker discloses an Internet operation comprising:

a plurality of computers programmed to operate as web servers (Fig. 1, elements 101-105)(Col. 3, lines 53-67 and Col. 4, lines 1-27);

one or more of said web servers hosting internet web sites for said internet operation (Fig. 1, elements 101-105)(Col. 3, lines 53-67 and Col. 4, lines 1-27);

one or more of said internet web sites being main sites having URLs which are publicly associated with said internet operation accessible through said internet web sites (Col. 4, lines 10-67 and Col. 5, lines 1-30);

Baker does not expressly disclose Internet operation including a system of secret Internet web sites, one or more of said internet web sites being secret sites having URLs which are not publicly associated with said internet operation, said secret sites being a part of said internet operation by which said internet operation may be accessed.

However, Smith discloses Internet operation including a system of secret Internet web sites comprising:

one or more of said internet web sites being secret sites having URLs which are not publicly associated with said internet operation (i.e., Private URL), said secret sites

being a part of said internet operation(Col. 15, lines 22-67); wherein each of said secret sites have a URL which:

1. is maintained as a secret from all but those users who have been given the knowledge thereof by the operator (Col. 14, lines 55-67); and

2. is assigned to a user upon the user's request and in response to the user providing means by which they can be sufficiently identified for purposes of the level of security against attack desired by the operator (Col. 15, lines 57-67 and Col. 16, lines 15-35 and Col. 17, lines 5-9);

and wherein the knowledge of the existence, identity, and URL of each of said secret sites is not available to the public except through the process requiring such identification of the user (Col. 15, lines 51-67 and Col. 16, lines 15-35 and Col. 17, lines 5-9);

said secret sites being a part of said internet operation by which said internet operation may be accessed (Col. 14, lines 44-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker with the teachings of Smith to include temporary and dynamically generated PURLs that uniquely identify the intended recipient of a document and provided value added services such as tracking and security with the motivation to provide for the ability to distribute electronic portable high content-quality documents to many recipients in a controlled and accountable fashion (Smith, Col. 1, lines 19-24).

Claims 11-13, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, (U.S. Patent No. 5,961,645 and Baker hereinafter) and Smith et al., (U.S. Patent No. 6,529,956 and Smith hereinafter), in view of Klug et al., (U.S. Patent No. 5,790,785 and Klug hereinafter).

Regarding claim 11, Baker and Smith discloses document delivery to intended recipients (Col. 14, lines 55-67).

Baker and Smith does not expressly disclose wherein subscription by a user during an attack through another Internet operation which is independent of the Internet operation on the main site.

Klug discloses wherein subscription by a user through another Internet operation which is independent of the Internet operation on the main site (i.e., a Registrar Website, Fig. 1, elem. 100, which may handle the process of subscribing a user to a third party website independent from the third party website itself, Fig. 1)(Col. 8, lines 20-67 and Col. 9, lines 1-28).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker and Smith with the teachings of Klug to include a registrar website so that registration information may be provided to registrar for registering the user at a third party website to provide the registered user with a private URL with the motivation to provide registration process at websites so that users may register at a single website (i.e., independent from websites that actually provide resources)(Klug, Col. 1, lines 53-57).

Regarding claims 12 and 19, Baker and Smith discloses document delivery to intended recipients (Col. 14, lines 55-67).

Baker and Smith does not expressly disclose wherein a reserve of secret sites, maintained to become available to the users of said Internet operation in the event of an emergency created by an attack.

Klug discloses wherein subscription by a user through another Internet operation which is independent of the Internet operation on the main site (i.e., a Registrar Website, Fig. 1, elem. 100, which may handle the process of subscribing a user to a third party website independent from the third party website itself, Fig. 1, and the user id and password information is stored in the third party website database for the future access of the third party website by the user, Fig. 8)(Col. 8, lines 20-67 and Col. 9, lines 1-28).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker and Smith with the teachings of Klug to include a registrar website so that registration information may be provided to registrar for registering the user at a third party website to provide the registered user with a private URL with the motivation to provide registration process at websites so that users may register at a single website (i.e., independent from websites that actually provide resources)(Klug, Col. 1, lines 53-57).

Regarding claim 13, Baker and Smith does not expressly disclose wherein the secret site program queries the user for the identification, verifies the information.

Smith discloses wherein the document delivery architecture proceeds to assign one of the secret site URLs to the user (Col. 14, lines 55-67).

However, Klug discloses wherein the secret site program queries the user for the identification, verifies the information (i.e., the process of registering at a third party website)(Col. 8, lines 20-67 and Col. 9, lines 1-27).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker and Smith with the teachings of Klug to include a registrar website so that registration information may be provided to registrar for registering the user at a third party website to provide the registered user with a private URL with the motivation to provide registration process at websites so that users may register at a single website (i.e., user's information may be gathered and verified independent from websites that actually provide resources)(Klug, Col. 1, lines 53-57).

Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, (U.S. Patent No. 5,961,645 and Baker hereinafter) and Smith et al., (U.S. Patent No. 6,529,956 and Smith hereinafter), in view of Waldner, (U.S. Patent No. 6,141,413 and Waldner hereinafter).

Regarding claims 10 and 18, Baker does not expressly disclose wherein the telephone subscription system based on telephone contact is automated to provide a secret site URL.

Smith discloses wherein email is widely used for basic communications and enables producers of content to send that content to the consumers (Col. 1, lines 44-67 and Col. 3, lines 40-60 and Col. 15, lines 3-4).

Waldner also discloses wherein the telephone subscription system based on telephone contact, automated to provide a secret site URL (i.e., correlating a registered user with a URL address may be implemented to automatically provide callers with a web page/a secret site URL)(Col. 7, lines 22-67 and Col. 8, lines 1-14).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Baker and Smith with the teachings of Waldner to include the basic telephone call answering and processing capabilities using a web-enabled terminal with the motivation to provide for automatic display of a web page triggered by user's call to web-enabled terminal in a telephone answering apparatus (Waldner, Col. 1, lines 19-24).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Srinivasan, U.S. Patent No. 6,145,002,

Jablon, U.S. Patent No. 6,226,383,

Highly, U.S. Patent No. 5,790,793,

Shane, U.S. Patent No. 5,793,972, and
Hunt et al., U.S. Patent No. 6,496,855.

Conclusion


THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (703) 305-8749. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Arezoo Sherkat
Patent Examiner
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July 21, 2004


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